

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TED KNOX,

Plaintiff,

v.

Case No. 05-cv-114-JPG

MARVIN F. POWERS, TERRY CALIPER,
REBECCA FORNEAR, JACKIE HAMILTON, LANA
WATKINS, TWYLA WALTON, CARROLL
GEORGE, JANE SIMMONS and WEXFORD
HEALTH SOURCES,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Ted Knox's objection (Doc. 22) to Magistrate Judge Frazier's order (Doc. 17) denying his motion for appointment of counsel (Doc. 3). A district court reviewing a magistrate judge's decision on nondispositive issues should only modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). Accordingly, the Court will affirm Magistrate Judge Frazier's decision unless his factual findings are clearly erroneous or his legal conclusions are contrary to law. *Id.*

The Court has reviewed Knox's motion for appointment of counsel and Magistrate Judge Frazier's thorough analysis of the factors the Court should consider when deciding whether to appoint counsel for an indigent litigant. The Court cannot say that Magistrate Judge Frazier's decision to deny Knox's motion for appointment of counsel without prejudice was clearly erroneous or contrary to law. For this reason, the Court **AFFIRMS** Magistrate Judge Frazier's decision (Doc. 17) to deny Knox's motion for appointment of counsel.

IT IS SO ORDERED.

DATED: October 21, 2005

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE